



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

JAMES H. FYKE
COMMISSIONER

PHIL BREDESEN
GOVERNOR

December 28, 2009

Mr. A. Stanley Meiburg
Acting Regional Administrator
U.S. Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, Georgia 30303-3104

RE: Smokey Mountain Smelters NPL Listing

Dear Mr. Meiburg:

I appreciate the U.S. Environmental Protection Agency's (USEPA) consideration of the State of Tennessee's position on the potential for listing Smokey Mountain Smelters to the National Priority List (NPL).

We understand that USEPA Superfund will use a removal action followed by remedial action to address this site and the approach will include:

- Removal action to address the aluminum dross and other contamination within the dilapidated and collapsing main process building.
- Remedial action to address aluminum salt cake and other contamination remaining after the USEPA removal action.
- Evaluating the site to determine whether contamination from former agricultural chemical manufacturing may pose an unacceptable threat and, if it does, to require potential responsible parties to address that contamination.

The State of Tennessee concurs with placing this site on the NPL to implement this approach.

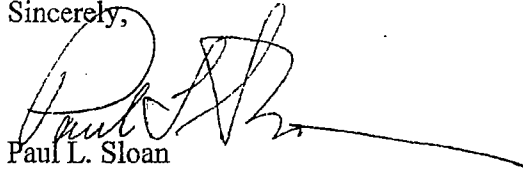
This concurrence letter does not obligate the State of Tennessee to provide any matching funds to the remedial action. Further, it is Tennessee's preference that the remedial actions not result in a future high cost operation and maintenance obligation for the State. Any obligation for matching funds or operation and maintenance would be effectuated in a future Superfund State Contract.



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If you have questions, please contact Mr. Andy Binford, Director of TDEC's Division of Remediation, at (615) 532-0911 or Andy.Binford@tn.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul L. Sloan", with a long horizontal line extending to the right.

Paul L. Sloan
Deputy Commissioner

PLS:AB:cm

Cc: Franklin Hill, EPA
John Nolen, EPA
Chuck Head, TDEC
Andy Binford, TDEC